

Remarks

The Official Action rejected claims 1-33. Applicant has canceled claim 2 and has amended claims 1, 3-5, 8, 23, 25-27 and 30. Claims 1 and 3-33 are now pending in the present application. Applicant respectfully requests reconsideration and allowance of the pending claims in the light of the points that follow.

Objection to Claim 27

With regard to the objection to claim 27, Applicant would like to point out that the term "the selected network device" in claim 27 has been amended to read "the selected network interface". Applicant respectfully submits that the insufficient antecedent basis for claim 27 is resolved by the present amendment.

Claim Rejections – Under 35 USC § 103 (Saint-Hilaire/Nakamura)

The Office Action rejected claims 2-5 and 24-27 under 35 U.S.C. § 103(a) as being unpatentable over Saint-Hilaire et al. (U.S. Application 2002/0147832) in view of Nakamura et al. (U.S. Pat. No. 6,553,031). Claim 2 has been canceled.

Applicant respectfully submits that the pending application and the Saint-Hilaire application were, at the time the invention of the pending application was made, commonly owned by Intel Corporation, Santa Clara, CA (US). Accordingly, the Saint-Hilaire application, a 35 U.S.C. 102(e) reference, is disqualified as prior art against the current invention under 35 U.S.C. 103(c).

Since the Saint-Hilaire application does not qualify as prior art under 35 U.S.C. 103(a), Applicant respectfully requests the present rejection of claims 3-5 and 24-27 be withdrawn.

Claim Rejections – Under 35 USC § 103 (Saint-Hilaire)

The Office Action rejected claims 12-22 under 35 U.S.C. 103(a) as being unpatentable over Saint-Hilaire et al.

As stated above, the pending application and the Saint-Hilaire application were, at the time the invention of the pending application was made, commonly owned by Intel Corporation, Santa Clara, CA (US). Accordingly, the Saint-Hilaire application, a 35 U.S.C. 102(e) reference, is disqualified as prior art against the current invention under 35 U.S.C. 103(c).

Since the Saint-Hilaire application does not qualify as prior art under 35 U.S.C. 103(a), Applicant respectfully requests the present rejection of claims 12-22 be withdrawn.

Claim Rejections – Under 35 USC § 102

The Office Action rejected claims 1, 6-11, 23 and 28-33 under 35 U.S.C. § 102(e) as being anticipated by Saint-Hilaire. Applicant has amended claims 1, 8, 23, and 30. Applicant respectfully requests the rejection of claims 1, 6-11, 23 and 28-33 be withdrawn.

Claim 1

Claim 1 has been amended to include limitations of canceled claim 2. Since claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Saint-Hilaire in view of Nakamura, newly amended claim 1 is not anticipated by Saint-Hilaire. Furthermore, since Saint-Hilaire does not qualify as prior art under 103(a), newly amended claim 1 is further non-obvious in view of Saint-Hilaire. Withdraw of the present rejection of claim 1 is respectfully requested.

Claim 23

Claim 23 has been amended to include aspects of claim 25. Since claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Saint-Hilaire in view of Nakamura, newly amended claim 23 is not anticipated by Saint-Hilaire. Furthermore, since Saint-Hilaire does not qualify as prior art under 103(a), newly amended claim 23 is further non-obvious in view of Saint-Hilaire. Withdraw of the present rejection of claim 23 is respectfully requested.

Claims 6-11 and 28-33

Claims 6-11 and 28-33 depend respectively on claims 1 and 23. Therefore, claims 6-11 and 28-33 are at least allowable for the reasons noted above in regard to claims 1 and 23. Applicant respectfully requests that the rejections of claims 6-11 and 28-33 be withdrawn.

Conclusion

The foregoing is submitted as a full and complete response to the Official Action. Applicant submits that the pending claims are in condition for allowance. Reconsideration is requested, and allowance of the pending claims is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account number 02-2666. If the Examiner believes that there are any informalities which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (503) 439-8778 is respectfully solicited.

Respectfully submitted,

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